

REMARKS

Reconsideration of this application, in view of the foregoing amendment and the following remarks, is respectfully requested.

Claims 1-60 were originally presented for consideration in this application. No claims have been canceled. Accordingly, claims 1-60 are currently pending in this application.

The examiner's indication that claims 4-6, 10 and 15-18 contain allowable subject matter is noted with appreciation. Of these, claims 4, 10 and 15 have been rewritten in independent form above. It may now be seen that claims 4-6, 10 and 15-18 are in condition for allowance.

The Cross-Reference to Related Application section of the specification has been amended above to state the serial no. of the related application.

The following rejections were set forth in the Office Action:

1. Claims 12, 13, 21-26, 29-35 and 51-57 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,387,318 to Kolm, et al.;
2. Claims 1-3, 8, 14, 36-50 and 58-60 stand rejected under 35 USC §103 as being unpatentable over Kolm; and
3. Claims 7, 9, 11, 19, 20, 27 and 28 stand rejected under 35 USC §103 as being unpatentable over Kolm in view of U.S. Patent No. 5,839,508 to Tubel, et al.

Regarding the anticipation rejections, please note that claim 12 has been amended above to recite that the elastic support is less rigid than the arm. An example of this feature of the invention may be seen in FIG. 3 of the drawings in which the more rigid arm 26 is supported by the less rigid elastic support 28. This feature is also described in the first paragraph on page 10 of the written description.

In contrast, the Kolm reference uses a single element arm 14 which does not include an elastic support having less rigidity than the arm. Thus, Kolm does not anticipate amended claim 12, and the examiner is respectfully requested to withdraw the anticipation rejections.

Regarding the obviousness rejection of claim 1, this rejection is respectfully traversed. In making the rejection, the Office Action states that it would be obvious to optimize the vortex shedding frequency of the Kolm device. However, Kolm contains no description of how such an optimization could be accomplished.

In addition, claim 1 does not actually recite merely optimizing of the vortex shedding frequency. Instead, the claim recites a particular relationship between the vortex shedding frequency and the resonant frequency of the vibrating assembly. Kolm does not describe or even suggest such a relationship, or how such a relationship could be accomplished. Therefore, it is respectfully submitted that the invention recited in claim 1 is not obvious over the teachings of Kolm, and the examiner is respectfully requested to withdraw the obviousness rejections of claim 1 and its dependents.

In view of the foregoing amendment and remarks, all of the claims pending in this application are now seen to be in a condition for allowance. A Notice of Allowance of claims 1-60 is therefore earnestly solicited.

The examiner is hereby requested to telephone the undersigned attorney of record at (972) 516-0030 if such would expedite the prosecution of the application.

Respectfully submitted,

KONNEKER & SMITH, P.C.



Marlin R. Smith
Attorney for Applicants
Registration No. 38,310

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660 North Central Expressway
Suite 230
Plano, Texas 75074
(972) 516-0030

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